

DiLorenzo Biomedical, LLC

P.O. Box 300905
Houston, TX 77230
Phone: (504) 220-7109
djdilore@alum.mit.edu
February 12, 2007

U.S. Patent and Trademark Office
P.O. Box 371279
Pittsburgh, PA 15251-7279
FAX: 571-273-6500
Attn: Rebecca

Re: USPTO Deposit Account 50-3728, registered to DiLorenzo Biomedical, LLC.

1. Erroneous Charges of \$125.00
2. Address Update for Deposit Account

Dear Rebecca,

Thank you for your assistance today. Per our teleconference, please find a copy of the attached letter dated March 23, 2007 which was faxed to the USPTO on March 24, 2006 regarding an erroneous charge on the above listed Deposit Account. This FAX

Transmission contains:

This cover letter.	1 page
Copy of March 23, 2007 letter	2 pages
Copy of successful fax transmission receipt	1 page
Copy of February 2006 Deposit Acct Statement	1 page

Kindly

- (1) update the mailing address to the address above.
- (2) issue a refund of \$125.00 to DiLorenzo Biomedical, LLC.

Please confirm receipt and let me know if there is any additional information that might be helpful in resolving this or if there are any questions with which I may be of help. I thank you in advance for your time and assistance.

Sincerely,



Daniel J. DiLorenzo, MD, PhD, MBA

DiLorenzo Biomedical, LLC
 Daniel J. DiLorenzo
 P.O. Box 19871
 Seattle, WA 98109
 (504) 229-7109
 March 23, 2006

Re: USPTO Deposit Account # 503728

Dear Sir/Madam,

I believe 2 charges credited against my USPTO Deposit Account are incorrect, and consequently the service charge is also incorrect. The information from the statement is below:

Serial Number	Docket No.	Fee Code	Charges/Credits
10/047,545	101.0053-010	1202	50.00
10/047,545	101.0053-010	1202	50.00
Service Charge		9202	25.00

The information for this application, retrieved from PAIR, is reproduced below:

Application Number:	10/047,545	Customer Number:	-
Filing or 371 (c) Date:	01-16-2002	Status:	Response to Non-Final Office Action Entered and Forwarded to Examiner
Application Type:	Utility	Status Date:	02-17-2006
Examiner Name:	BROWN, MICHAEL A	Location:	ELECTRONIC
Group Art Unit:	3764	Location Date:	-
Confirmation Number:	4993	Earliest Publication No:	US 2002-0138144 A1
Attorney Docket Number:	101.0053-01000	Earliest Publication Date:	09-26-2002
Class / Subclass:	606/061	Patent Number:	-
First Named Inventor:	Gary Michelson, Venice, CA (US)	Issue Date of Patent:	-
Title of Invention:	Threaded frusto-conical interbody spinal fusion implants		

Since this application is not one of the applications being prosecuted by DiLorenzo Biomedical, LLC, I respectfully request a refund of \$125.00 in charges, comprising the \$100 from two instances of Fee Code 1202 (claims in excess of 20) and \$25 from Fee Code 9109 (Service charge for below minimum balance).

Sincerely,



Daniel J. DiLorenzo, MD, PhD, MBA

To: • Page 5 of 8

2007-02-12 21:13:24 (GMT)

10020395146 From: daniel dilorenzo

X-Apparently-To: dan_dilorenzo@yahoo.com via 68.142.200.168; Fri, 24 Mar 2006 09:30:38 -

0800

X-Originating-IP: [18.7.21.145]

Authentication-Results: mta228.mail.scd.yahoo.com

from=mail.efax.com; domainkeys=neutral (no sig)
Date: Fri, 24 Mar 2006 09:18:32 -0800 (Pacific Standard Time)

To: djdilore@alum.mit.edu

From: send@mail.efax.com

Subject: Successful transmission to 15712736500. Re: FAX to USPTO re Deposit Account

503728

X-J2FaxResultCode: SFAX

X-J2ReferenceId:

X-J2RecipientCSID: USPTO

X-J2FaxDuration: 95

X-J2FaxDateTime: 2006-03-24 17:18:31 (GMT)

X-J2RecipientFaxNumber: 15712736500

X-J2FaxPages: 4

X-J2FaxSubject: FAX to USPTO re Deposit Account 503728

X-J2SDate: 2006-03-24 17:18:31

X-J2CDate: 2006-03-24 09:16:29

X-J2BId: 514329382

X-J2Id: 514329385

X-J2Colo: PITT

X-Spam-Score: 0.862

X-Spam-Flag: NO

X-Scanned-By: MIMEDefang 2.42

Dear daniel dilorenzo,

Re: FAX to USPTO re Deposit Account 503728

The 4 page fax you sent through eFax.com to 15712736500 was successfully transmitted at

2006-03-24 17:18:31 (GMT).

The length of transmission was 95 seconds.

The receiving machine's fax ID: USPTO.

If you need additional assistance, please visit our online help center at
<http://www.efax.com/help/>. Thank you for using the eFax service.

Best Regards,
eFax.com

Customer Service

Help: <http://www.efax.com/help/>

Tel: 323-817-3205 (US) or 0870 711 2211 (UK)

Email: help@mail.efax.com

PAGE 5/6 • RCVD AT 2/12/2007 4:15:51 PM [Eastern Standard Time] • SVR:USPTO-EFXRF-219 • DNIS:2736500 • CSID:10020395146 • DURATION (mm:ss):03:02

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United States
Patent and
Trademark Office

Return To:
USPTO
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Online
Shopping
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Deposit Account Statement

Requested Statement Month:

February 2006

Deposit Account Number:

503728

Name:

DILORENZO BIOMEDICAL LLC

Attention:

DANIEL J. DILORENZO, MD PHD, MBA

Address:

P.O. BOX 19871

City:

SEATTLE

State:

WA

Zip:

98109

Country:

UNITED STATES

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/21	3	10047545	101.0053-010 1202		\$50.00	\$950.00
02/21	4	10047545	101.0053-010 1202		\$50.00	\$900.00
02/28	389	SERVICE CHARGE		9202	\$25.00	\$875.00
			START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
			\$1,000.00	\$125.00	\$0.00	\$875.00

Need Help? | [USPTO Home Page](#) | [Finance Online Shopping Page](#)

FAX COVER SHEET

FAX NUMBER	15712736500
FROM	daniel dilorenzo
DATE	2007-02-12 21:15:19 GMT
RE	USPTO Deposit Account 50-3728 / Erroneous Charges

COVER MESSAGE

FAX: 4 pages (in addition to this header page; FAX cover page on next page)

From: DiLorenzo Biomedical, LLC
To USPTO / Deposit Accounts

Attached Files:

2007-02-12 - Ltr to USPTO - Deposit Account Cover
Letter _Re \$100
+ \$25 erroneous charge_ - w SIGNATURE & ATTACHMENTS.pdf

4322600001P1

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WWW.EFAX.COM

PAGE 1/6 * RCVD AT 2/12/2007 4:15:51 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/19 * DNIS:2736500 * CSID:10020395146 * DURATION (mm:ss):03-02

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FORM PTO-1083

Attorney Docket No.: 101.0053-01000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
 Gary K. Michelson
 Serial No: 10/047,545
 Filed: January 16, 2002
 For: THREADED FRUSTO-CONICAL
 INTERBODY SPINAL FUSION IMPLANTS

Confirmation No.: 4993
 Art Unit: 3764
 Examiner: Michael Brown

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Further to the Advisory Action dated November 30, 2005, transmitted herewith is a Request for Continued Examination (RCE) and Amendment in reply to the Office Action dated August 10, 2005 in the above-identified application.

No additional fee is required.
 Applicant hereby requests a third-month extension of time to respond to the above office action (noting that a one-month extension of time was previously paid on November 11, 2005).
 An Information Disclosure Statement and Form PTO-1449 with 1 document including translation are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG=\$50 SM=\$25	\$50	ADD'L FEE DUE
TOTAL CLAIMS FEE	64	-	70	-	0	\$50	\$ 0
INDEPENDENT CLAIMS FEE	3	-	3	-	0	\$200 SM=\$100	\$200
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS							LARGE ENTITY FEE = \$350 SMALL ENTITY FEE = \$180
							TOTAL \$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

The total amount of \$1,890.00 to cover the \$900 third-month extension of time fee and \$790 RCE fee is to be charged to Deposit Account No. 50-3726.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
 Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
 MARTIN & FERRARO, LLP

Date: January 27, 2006
 By: 
 Thomas H. Martin
 Registration No. 34,383

1557 Lake O'Pines Street, NE
 Hartville, Ohio 44632
 Telephone: (330) 877-0700
 Facsimile: (330) 877-2030

Transmittal of RCE and Amendment.DOC
 PAGE 2/18* RCV'D AT 1/27/2006 7:41:09 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-6/25* DNI:2738300* CSID:3308772030* DURATION (mm:ss):04:18

Adjustment date: 03/13/2007 SDIRETAA1
 02/21/2006 THAKIM 00000003 503728 10047545
 01 FC:1202 50.00 CR

Adjustment Date: 03/13/2007 SDIRETAA1
 02/21/2006 THAKIM 00000004 503728 10047545
 01 FC:1202 50.00 CR

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03/13/2007 SDIRETAA1 00000016 503726 10047545

01 FC:1202 100.00 DA